

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

BEVERLY TRAN,

Plaintiff,

CIVIL ACTION NO. 07-CV-13232-DT

vs.

DISTRICT JUDGE BERNARD A. FRIEDMAN

**MICHIGAN DEPT OF
HUMAN SERVICES., et al.,**

MAGISTRATE JUDGE MONA K. MAJZOUB

Defendants.

OPINION AND ORDER DENYING WITHOUT PREJUDICE PLAINTIFF'S MOTION

Plaintiff has filed a Motion Requesting Service for Copy of Complaint and Summons by U.S. Marshall on Defendant Michael Reizen. (Docket no. 104). She has also submitted an application to proceed *in forma pauperis*. The Court will dispense with oral argument on this motion. E.D. Mich. LR 7.1(e).

Plaintiff states that she has attempted to effect service of the summons and complaint on Defendant Reizen by mail at his place of business, 1300 Beaubien, Detroit, Michigan, and has not been successful. In recommending that Plaintiff's earlier Motion for Default against Defendant Reizen be denied due to improper service, the Court identified the proper methods for effecting service. (Docket no. 70). Plaintiff now reveals in her latest motion that she possesses another, and reportedly the correct, address where Defendant Reizen is employed. She fails to show that she has attempted to make service at this address by mail or otherwise. Moreover, although Plaintiff claims to be indigent, the Court knows that Plaintiff has the financial resources to attempt service at this new address because of the voluminous filings that Plaintiff has submitted and served so far in this action. Plaintiff has failed to show that she is unable to effectuate service on Defendant Reizen.

IT IS THEREFORE ORDERED that Plaintiff's Motion Requesting Service (docket no. 104) is **DENIED WITHOUT PREJUDICE**.

NOTICE TO THE PARTIES

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. 636(b)(1).

Dated: March 20, 2008

s/ Mona K. Majzoub
MONA K. MAJZOUN
UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

I hereby certify that a copy of this Opinion and Order was served upon Beverly Tran and Counsel of Record on this date.

Dated: March 20, 2008

s/ Lisa C. Bartlett
Courtroom Deputy